

REMARKS

Attached hereto is an Excess Claims Fee letter.

Claims 1, 3, 4, and 7-53 are all of the claims pending in the present Application. Claims 1, 7, and 19 have been amended to correct informalities in the previously-submitted version. New claims 46-53 are added.

It is noted that the sentence at line 5 on page 17 of the previously-submitted Amendment, filed on August 6, 2004, is incorrect in its statement that claim 1 is canceled. Claim 1 remains pending, as herein amended.

It is also noted that amended claim 1 refers to the combination of elements in which a sample that may not be reliably read exactly is used, but the method of authenticity includes recording the number from the first reader on the object. Naccache and Kaish record the encoded number on the object. This feature of the present invention allows verification that the sample being read for verification is the same sample originally attached to the object.

The bases in the specification for the new claims 46-53 contained herein are as follows:

- Claim 46: Page 34, beginning at line 3;
- Claim 47: Page 36, beginning at line 7;
- Claim 48: Page 36, beginning at line 11;
- Claims 49, 50: Page 36, beginning at line 16;
- Claim 51: Page 45, beginning at line 20; and
- Claims 52, 53: Page 29, beginning at line 5.

The bases in the specification for the claims added in the Amendment previously filed on August 6, 2004, are as follows:

- Claim 39: Page 17 at lines 15-20;
- Claim 40, 43: Page 14 at line 14 through line 7 of page 15;
- Claim 41, 44: Page 13 at lines 13-15, and page 17 at line 22 through line 2 of page 18;
- Claim 42: Beginning at line 17 of page 30; and
- Claim 45: Page 21 at line 6 through line 22 of page 23.

S/N 09/397,503

IBM Docket: YOR919990129US1

Applicants gratefully acknowledge Supervisory Examiner Morse and newly-assigned Examiner Heneghan for taking time from their busy schedule on September 9, 2004, to conduct a personal interview with Applicants' representative. During the interview, Applicants' representative pointed out how the embodiment described by, for example, claim 39 differs from both Naccache and Kaishe in that it addresses the problem of degradation of the random sample and/or the inability to precisely read the sample's features.

The inventors feel that this aspect of the present invention is a significant contribution to the art, since they have recognized that these one-of-a-kind random samples are difficult to use in a practical manner for authentication without addressing this inability to precisely read the sample each time. New claims 46-53 similarly are related to this issue of practicality in reliably reading these types of samples.

It is believed that the new claims have incorporated the helpful suggestions of Supervisory Examiner Morse during the personal interview.

FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1, 3, 4, and 7-53, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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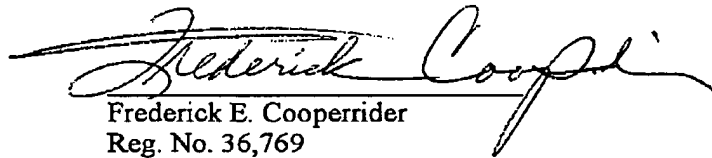
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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0441.

Respectfully Submitted,

Date:

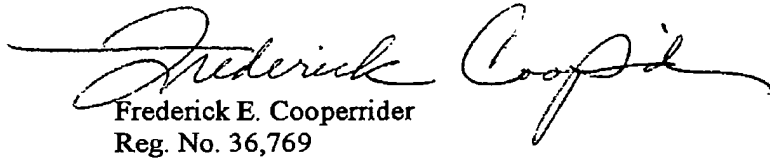
9/21/04


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CERTIFICATION OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 this Supplemental Amendment under 37 CFR §1.111 to Examiner M. Heneghan on September 21, 2004.


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